

Appl. No. 09/745,458
Amdt. dated October 30, 2003
Reply to Office action of October 2, 2003

BJA272C

REMARKS

The examiner has required applicant to elect under 35 USC §121 a single disclosed species for the parachute structure complexed to one therapeutic compound through a linker. In light of prior contact with this examiner in a companion case, it is understood that we have been asked to present a composition which exemplifies the generic claim and which is searchable by the examiner. Before making this election, we are going to amend the claims as originally presented to provide some added detail.

To comply with the requirements of 37 CFR § 1.143 to provide an example covered by the basic independent claim, a parachute structure and a therapeutic component need to be selected. For searching purposes, the parachute structure is chosen to be a cyclodextrin, preferably gamma-cyclodextrin, and the therapeutic component is chosen to be a photosensitizer with the porphyrin family structure. In the most basic format of the present invention the cyclodextrin is conjugated directly to the porphyrin photosensitizer there is no need for a spacer.

As a first restriction/extension to the above, the search could add the *spacer* species which is chosen as beta-aminoacids or gamma-amino butyric acid.

Should no prior art be found significantly close then the search parameters ought to be expanded to include another kind of parachute structure, wherein two sugar/aminosugar residues, e.g. glucosamine, are bonded to a trifunctional branching unit e.g. triazine trichloride or trimesinic acid trichloride. The therapeutic component remains a porphyrin photosensitizer.

Should an example for the *chemotherapeutic drug* be necessary we chose among those which are membrane active drugs, *Merphalene*.

With these remarks it is believed that the requirements of 35 USC, 37 CFR and the MPEP have been answered and the disclosure and claims are now in condition for examination as one whole invention. Consideration is respectfully requested. An early and favorable response is earnestly solicited. Thank you.

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Respectfully submitted,



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